

State of New York
Supreme Court, Appellate Division
Third Judicial Department
518-471-4777

SESSION CALENDAR FOR WEDNESDAY, APRIL 20, 2022

1:00 P.M. SESSION

A P R E C E F

BENCH POSITION: CERESIA, J., PRITZKER, J., AARONS, J.P., REYNOLDS FITZGERALD, J., FISHER, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(2)	111988	PEOPLE v PATRICK COLTER <i>Appellant</i> - Adam G. Parisi, Esq. [Assigned] (Patrick Colter) <i>Respondent</i> - Zachary S. Persichini, Esq. Weeden A. Wetmore, Chemung County District Attorney	10 10
(3)	533328	MATTER OF SAFETY-KLEEN SYSTEMS INC. v NEW YORK STATE DEPT. OF ENVTL. CONSERVATION <i>Appellant</i> - Gabriella R. Levine, Esq. Whiteman Osterman & Hanna LLP (Safety-Kleen Systems Inc.) <i>Respondent</i> - Kiernan J. Beezly, Esq. AG Letitia James (New York State Department of Environmental Conservation)	10 10
(4)	106056	PEOPLE v NICHOLAS SIMON <i>Appellant</i> - Clea Weiss, Esq. [Assigned] (Nicholas Simon) <i>Respondent</i> - Lisa M. Bondarenka, Esq. James R. Farrell, Sullivan County District Attorney	10 10
(5)	533756	MATTER OF HOOTS v TOWN OF ROCHESTER ZONING BOARD OF APPEALS <i>Appellant</i> - J. Benjamin Gailey, Esq. Jacobowitz & Gubits, LLP (Allison and Sean Hoots) <i>Respondent</i> - Mary Lou P. Christiana, Esq. Law Office of Mary Lou P. Christiana (Rochester Zoning Board of Appeals) <i>Respondent</i> - Emily B. Svenson, Esq. Gordon & Svenson LLP (Rovika Rajkishun, et al.)	10 5 5

State of New York
Supreme Court, Appellate Division
Third Judicial Department
518-471-4777

SESSION CALENDAR FOR WEDNESDAY, APRIL 20, 2022

1:00 P.M. SESSION

A P R E C E F

BENCH POSITION: CERESIA, J., PRITZKER, J., AARONS, J.P., REYNOLDS FITZGERALD, J., FISHER, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(6)	110580	PEOPLE v BRADLEY COOK <i>Appellant</i> - Martin J. McGuinness, Esq. [Assigned] (Bradley Cook) <i>Respondent</i> - Joan Gudesblatt Lamb, Esq.	10 SUB
(7)	110768	PEOPLE v MUJAHID BOYD <i>Appellant</i> - Steven M. Sharp, Esq. Tina Sodhi, Albany County Alternate Public Defender (Mujahid Boyd) <i>Respondent</i> - Vincent Stark, Esq. P. David Soares, Albany County District Attorney	10 10
(8)	112873	PEOPLE v SHELBY A. BACKUS <i>Appellant</i> - Kenneth P. Borden, Jr., Esq. <i>Respondent</i> - Eric T. Weyand, Esq. Brandon E. Boutelle, Essex County Public Defender (Shelby A. Backus)	SUB 10
(1)	110264	PEOPLE v KASEEM POINTER <i>Appellant</i> - Matthew C. Hug, Esq. (Kaseem Pointer) <i>Respondent</i> - Vincent Stark, Esq. P. David Soares, Albany County District Attorney	<u>Remote</u> 10 <u>In Person</u> 10
(9)	111033	PEOPLE v STORM N. RIVERA	SUB
(10)	111143	PEOPLE v MANUEL LUNA	SUB
(11)	112408	PEOPLE v RICHARD DUCKETT	SUB
(12)	531781	MATTER OF JONES v ANNUCCI	SUB
(13)	533727	MATTER OF ANDRE WARD	SUB

State of New York
Supreme Court, Appellate Division
Third Judicial Department
518-471-4777

SESSION CALENDAR FOR WEDNESDAY, APRIL 20, 2022

1:00 P.M. SESSION

A P R E C E F

BENCH POSITION: CERESIA, J., PRITZKER, J., AARONS, J.P., REYNOLDS FITZGERALD, J., FISHER, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(14)	532665	MATTER OF VASQUEZ v NORTHSTAR CONSTR. GROUP SERV. INC.	SUB
(15)	533788	MATTER OF FULLER v AJ CONSTRUCTION, CO.	SUB